

[Submitting Counsel on Signature Page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re LIDODERM ANTITRUST LITIGATION

Master File No. 14-md-02521-WHO

MDL No. 2521

THIS DOCUMENT RELATES TO:
ALL ACTIONS

**STIPULATION AND ORDER VACATING
TRIAL DATES AND SETTING SCHEDULE
FOR FILING OF PRELIMINARY
APPROVAL MOTIONS**

1 The Court has set jury selection in this matter for February 23, 2018, with trial to begin on
2 February 26, 2018. The parties have previously notified the Court of proposed settlements reached
3 separately with the Teikoku defendants and the Watson defendants. In light of the settlements, the
4 Court excused Teikoku and Watson from participation in the upcoming trial. Following a settlement
5 conference with Chief Magistrate Judge Spero on February 13, 2018, all Plaintiffs have now settled
6 with Endo, the last remaining defendant.

7 In light of the Endo settlements, Plaintiffs and Endo jointly request that the Court vacate the
8 pending trial dates. Direct Purchaser Plaintiffs and End-Payor Plaintiffs anticipate filing motions for
9 preliminary approval of their respective settlements with Teikoku, Watson, and Endo by March 9,
10 2018.

11 For purposes of the End-Payor Plaintiffs' settlements, certain entities listed in Exhibit A that
12 previously opted out of the End-Payor Class ("Separately Represented End-Payors" or "SREPs") have
13 agreed to withdraw their opt out requests and proceed as members of the End-Payor Class. End-Payor
14 Plaintiffs and the SREPs therefore request that, for the purposes of settlement, the Court amend its
15 December 28, 2017, Order Regarding Opt-Outs (ECF 946) to exclude the SREPs from the list of
16 entities that are not part of the End-Payor Class. Counsel for the defendants do not oppose the request
17 for the SREPs to be permitted to opt back into the End-Payor Class.

18 Therefore, IT IS HEREBY STIPULATED AND AGREED by the parties, through their
19 respective counsel of record and subject to Court approval, as follows:

- 20 1. All pending trial dates are vacated;
- 21 2. The SREPs' opt-out requests are withdrawn and the SREPs shall proceed as members of
22 the End-Payor Class; and
- 23 3. Direct Purchaser Plaintiffs and End-Payor Plaintiffs shall file motions for preliminary
24 approval of their settlements with Teikoku, Watson, and Endo by March 9, 2018.

DATED: February 21, 2018

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Respectfully submitted,

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ATTESTATION

I, Dena C. Sharp, am the ECF User whose identification and password are being used to file this Stipulation and [Proposed] Order Vacating Trial Dates and Setting Schedule for Filing Preliminary Approval Motions. I attest under penalty of perjury that concurrence in this filing has been obtained from all counsel.

DATED: February 21, 2018

/s/ Dena C. Sharp

Dena Sharp

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: February 23, 2018



William H. Orrick
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on February 21, 2018, I electronically filed the foregoing document using the CM/ECF system, which will send notification of such filing to all counsel of record registered in the CM/ECF system.

/s/ Dena C. Sharp
Dena C. Sharp

Exhibit A

1. Aetna Health Insurance Company
 - a. Aetna US Healthcare Corp
 - b. Aetna Better Health Inc. (CT)
 - c. Aetna Better Health Inc. (PA)
 - d. Aetna Better Health Inc. (IL)
 - e. Aetna Pharmacy Management
 - f. Aetna Student Health
 - g. Aetna Life Insurance Co.
 - h. Aetna Health Insurance Co of NY
 - i. Aetna Health of CA
 - j. Aetna Health Inc. (A FL Corp)
 - k. Aetna Health Inc. (A ME Corp)
 - l. Aetna Health Inc. (A MI Corp)
 - m. Aetna Health and Life Insurance Co.
 - n. Aetna Dental of CA
 - o. Aetna Dental Inc. (A NJ Corp)
 - p. Aetna Dental Inc. (A TX Corp)
 - q. Aetna Health Inc. (A NJ Corp)
 - r. Aetna Health Inc. (A NY Corp)
 - s. Aetna Health Inc. (A CT Corp)
 - t. Aetna Health Inc. (A PA Corp)
 - u. Aetna Health Inc. (A GA Corp)
 - v. Aetna Health Inc. (A TX Corp)
2. Anthem Blue Cross Life and Health Insurance Company
 - a. Amerigroup Florida Inc.
 - b. Amerigroup Kansas, Inc.
 - c. Amerigroup Louisiana, Inc.
 - d. Amerigroup Maryland, Inc.
 - e. Amerigroup Nevada, Inc.
 - f. Amerigroup New Jersey, Inc.
 - g. Amerigroup Community Care of New Mexico, Inc.
 - h. Amerigroup New York, LLC
 - i. Amerigroup Tennessee, Inc.
 - j. Amerigroup Texas, Inc.
 - k. Amerigroup Washington, Inc.
 - l. Anthem Health Plans, Inc.
 - m. Anthem Health Plans of Kentucky, Inc.
 - n. Anthem Health Plans of Maine, Inc.
 - o. Anthem Health Plans of New Hampshire, Inc.
 - p. Anthem Health Plans of Virginia, Inc.
 - q. Anthem Insurance Companies Inc.
 - r. AMGP Georgia Managed Care Company
 - s. Blue Cross and Blue Shield of Georgia Inc.
 - t. Blue Cross Blue Shield of Wisconsin

- u. Blue Cross of California Partnership Plan, Inc.
 - v. Blue Cross of California
 - w. CareMore Health Plan
 - x. Community Insurance Company
 - y. CompCare Health Services Insurance Corporation
 - z. Empire HealthChoice HMO, Inc.
 - aa. Empire HealthChoice Assurance
 - bb. Healthkeepers, Inc.
 - cc. Healthy Alliance Life Insurance Company
 - dd. HMO Colorado Inc.
 - ee. HMO Missouri, Inc.
 - ff. Rocky Mountain Hospital and Medical Service Inc.
 - gg. Matthew Thronton Health Plan Inc.
 - hh. WellPoint Partnership Plan LLC
 - ii. UniCare Health Plan of Kansas Inc.
 - jj. UniCare Health Plan of West Virginia Inc.
 - kk. UniCare Life & Health Insurance Company
 - ll. CareMore Health Plan of Arizona Inc.
3. AvMed Inc.
 4. Blue Cross and Blue Shield of Kansas City
 5. BlueCross BlueShield of Tennessee, Inc.
 6. CareFirst BlueChoice Inc.
 - a. CAREFIRST OF MARYLAND INC
 - b. CAREFIRST BLUECROSS BLUESHIELD
 - c. GROUP HOSPITAL & MEDICAL SVCS
 7. Cigna Health and Life Insurance Company
 - a. Cigna Behavioral Care
 - b. Cigna Dental Health Plan AZ Inc.
 - c. Cigna Dental Health Plan of CA Inc.
 - d. Cigna Dental Health Plan of DE Inc.
 - e. Cigna Dental Health Plan of FL Inc.
 - f. Cigna Dental Health Plan of KS Inc.
 - g. Cigna Dental Health of KY Inc.
 - h. Cigna Dental Health of MD Inc.
 - i. Cigna Dental Health of NC Inc.
 - j. Cigna Dental Health of OH Inc.
 - k. Cigna Dental Health of PA Inc.
 - l. Cigna Dental Health of TX Inc.
 - m. Cigna Dental Health of NJ Inc.
 - n. Cigna Dental Health of CO Inc.
 - o. Cigna Life Ins Co of New York
 - p. Cigna Health & Life Ins. Co.
 - q. Cigna Worldwide Insurance Co.
 - r. Cigna Dental Health of MO Inc.
 - s. Cigna Dental Health of VA Inc.

- t. CIGNA HEALTH & LIFE INS CO
 - u. CIGNA HEALTHCARE MID-ATL INC
 - v. CIGNA HEALTHCARE OF AZ INC
 - w. CIGNA HEALTHCARE OF CA INC
 - x. CIGNA HEALTHCARE OF CO INC
 - y. CIGNA HEALTHCARE OF CT INC
 - z. CIGNA HEALTHCARE OF FL INC
 - aa. CIGNA HEALTHCARE OF GA INC
 - bb. CIGNA HEALTHCARE OF IL INC
 - cc. CIGNA HEALTHCARE OF IN INC
 - dd. CIGNA HEALTHCARE OF ME INC
 - ee. CIGNA HEALTHCARE OF NC INC
 - ff. CIGNA HEALTHCARE OF NH INC
 - gg. CIGNA HEALTHCARE OF NJ INC
 - hh. CIGNA HEALTHCARE OF NY INC
 - ii. CIGNA HEALTHCARE OF SC INC
 - jj. CIGNA HEALTHCARE OF ST LOU INC
 - kk. CIGNA HEALTHCARE OF TN INC
 - ll. CIGNA HEALTHCARE OF TX INC
8. Government Employees Health Association Inc.
 9. Group Health Cooperative
 - a. GROUP HEALTH COOPERATIVE OF SOUTH CENTRAL WI
 10. Harvard Pilgrim Health Care
 - a. HARVARD PILGRIM HLTH CARE OF NE
 - b. HPHC INSURANCE COMPANY INC
 11. Health Net Inc.
 - a. Health Net of New Jersey Inc.
 - b. Health Net Life Insurance Co
 - c. Health Net of California, Inc.
 - d. Health Net of Connecticut Inc.
 - e. Health Net of New York, Inc.
 - f. Health Net of Arizona, Inc.
 - g. Health Net Health Plan of OR
 12. Humana Inc.
 - a. Humana Insurance Company of Kentucky
 - b. Humana Health Plan of CA Inc.
 13. KPS Health Plan
 14. Medical Mutual of Ohio
 15. MVP Health Care Inc.
 - a. MVP HEALTH INS CO OF NH INC
 - b. MVP HEALTH INSURANCE COMPANY
 - c. MVP HEALTH PLAN
 - d. MVP HEALTH PLAN OF NH INC
 - e. MVP HEALTH SERVICES CORP
 - f. MVP SELECT CARE INC

1 16. Premera Blue Cross

2 17. Priority Health

3 a. PRIORITY HEALTH CHOICE INC

4 b. PRIORITY HEALTH INSURANCE CO

5 18. Tufts Associated HMO Inc.

6 a. TUFTS INSURANCE CO

7 b. TUFTS MEDICAL CENTER